

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

**BECKLEY DIVISION**

CHARLES EWELL,

Petitioner,

v.

CIVIL ACTION NO. 5:06-cv-01035

CHARLES T. FELTS, et al.,

Respondents.

**MEMORANDUM OPINION**

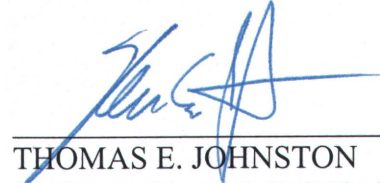
Pending before the Court is Petitioner's § 2241 Petition for Writ of Habeas Corpus [Docket 1]. By Standing Order entered August 1, 2006, and filed in this case on December 11, 2006, this action was referred to Magistrate Judge Mary E. Stanley for submission of proposed findings and a recommendation (PF&R) pursuant to 28 U.S.C. § 636(b)(1)(B). The magistrate judge submitted her PF&R [Docket 12] on March 5, 2008, recommending that this Court deny the petition as moot and dismiss the case.

The Court is not required to review, under a *de novo* or any other standard, the factual or legal conclusions of the magistrate judge as to those portions of the findings or recommendation to which no objections are addressed. *Thomas v. Arn*, 474 U.S. 140, 150 (1985). In this case, pursuant to 28 U.S.C. § 636(b)(1)(B), and Rules 6(e) and 72(b) of the Federal Rules of Civil Procedure, objections to the PF&R were due by March 21, 2008. To date, no objections have been filed.

Accordingly, the Court **ADOPTS** the PF&R [Docket 11] in its entirety, **DENIES AS MOOT** Petitioner's § 2241 Petition for Writ of Habeas Corpus [Docket 1], and **DISMISSES** the

case from the Court's active docket. A Judgment Order will enter this day implementing the rulings contained herein.

ENTER: June 13, 2008

A handwritten signature in blue ink, appearing to read 'Th. Johnston', is written over a horizontal line.

THOMAS E. JOHNSTON  
UNITED STATES DISTRICT JUDGE